

STATE OF VERMONT

SUPERIOR COURT

FAMILY DIVISION

Unit

Docket No.

Plaintiff	DOB	Defendant	DOB

Temporary Order
Relief from Abuse

VOID

For
Review only

Minor Child/ren who have been abused or require protection:
Name(s) and Date(s) of Birth of Minor Child/ren:

_____	_____
_____	_____
_____	_____
_____	_____

Complaint filed on: _____

Hearing: was held on _____
 was not held

The following persons were present:

(Name of Attorney)

<input type="checkbox"/> Plaintiff	<input type="checkbox"/> with attorney	_____
<input type="checkbox"/> Defendant	<input type="checkbox"/> with attorney	_____

Findings by the Court: (check all boxes that apply)

- Defendant has abused Plaintiff the minor child/ren in that Defendant has:
 - Caused physical harm.
 - Attempted to cause physical harm.
 - Placed him/her/them in fear of imminent serious physical harm.
 - Stalked Plaintiff and/or Minor child/ren, as defined in 12 V.S.A. 5131(6).
 - Sexually assaulted Plaintiff and/or Minor child/ren, as defined in 12 V.S.A. 5131(5).
 - Defendant is incarcerated and has been convicted of one of the crimes specified in 15 V.S.A. 1103 (c) (b).
- There is an immediate danger of further abuse.
- Plaintiff and Plaintiff's child/ren has/have been or will be forced from the household and without shelter unless the Defendant is ordered to vacate the premises.
- There is immediate danger of physical or emotional harm to the minor child/ren.

Order of the Court:

VOID FORM

The application for an *ex parte* ORDER is GRANTED, as follows:

- 1. Defendant shall not abuse Plaintiff and the minor child/ren named above, and Defendant shall not threaten, assault, molest, harass, or otherwise interfere with his/her/their personal liberty.
- 2. Defendant shall refrain from stalking or sexually assaulting Plaintiff the minor child/ren and refrain from interfering with his/her/their personal liberty.
- 3. Defendant shall vacate the residence immediately and Plaintiff shall have the sole possession of the residence located at *(Street and Town Address)*: _____
- 4. Defendant shall not enter the residence except with Plaintiff's prior permission AND in the presence of a law enforcement officer or the following person: _____
- 5. Temporary parental rights and responsibilities (custody) of the minor child/ren named below is awarded to: Plaintiff Defendant
Name(s) and Date(s) of Birth of Minor Child/ren:

- 6. Defendant shall refrain from cruelly treating the pet(s) of the parties the children of the parties.
- 7. Defendant shall not telephone, write to, e-mail, contact Plaintiff the minor child/ren in any way, or attempt to communicate directly or indirectly with him/her/them through a third party or in any other manner, except that Defendant may: _____
- 8. Defendant shall stay _____ feet away from:
 - Plaintiff
 - Plaintiff's residence
 - Plaintiff's place of employment
 - Plaintiff's motor vehicle
 - Child/ren named in #5 above
 - School(s)/Other Child/ren/and Other: _____

9. Until further order of the court or until this order expires, _____ shall hold the following weapons belonging to Defendant: _____

9a. Delivery of the weapons shall be made in the following manner: _____

10. Plaintiff is granted sole possession of the following personal property necessary for the protection of Plaintiff and the care of the child/ren: _____

11. Other: _____

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VERMONT LAW ENFORCEMENT OFFICERS ARE AUTHORIZED TO ARREST WITHOUT WARRANT PERSONS WHO VIOLATE THE ABOVE PROVISIONS OF THIS RELIEF FROM ABUSE ORDER.

VIOLATION OF THIS ORDER IS A CRIME SUBJECT TO A TERM OF IMPRISONMENT OR A FINE, OR BOTH, AND MAY ALSO BE PROSECUTED AS CRIMINAL CONTEMPT PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH.

**** This order may be served by any law enforcement officer. ****

A HEARING will be held on _____ at the
Vt. Superior Court, Family Division

The temporary order remains in effect until the Court dismisses the case or, after a hearing, issues an order or denies a final order, or at 5:00PM on the date of hearing, whichever is earlier.

So ordered.

Dated



Superior Court Judge

VOID
for Review
only.

VOID Form

INFORMATION FOR PLAINTIFF AND DEFENDANT ABOUT REPRESENTATION BY AN ATTORNEY

Although you may represent yourself at any hearing during these proceedings, you may wish to consult with or be represented by an attorney. If you hire an attorney to represent you, your attorney is required to tell the court and the other party that they will be representing you. Both parties have the right to receive "notice" before any hearing that the opposing party will be represented by an attorney. The Family Court Rule requires that such notice must be given to the opposing party or their attorney in person, by telephone, or in writing and it must be given far enough in advance of the hearing to permit them to hire an attorney too. If you do not provide such notice to the opposing party, and if the party without an attorney asks, the court will postpone the hearing for a reasonable time to allow the unrepresented party to obtain an attorney. If the hearing is postponed, the temporary order may be extended.

IMPORTANT INFORMATION FOR DEFENDANT

At the hearing to be held on the date and time specified on the face of this order, the court will decide on whether to extend or change this order, or issue a final order. After the hearing, an order may be issued, which may remain in effect as long as the judge decides concerning relief from abuse, possession of the home and custody of the children. If you fail to appear at the final hearing, an order may be issued against you granting the Plaintiff's requests for relief as the court deems appropriate.

DEFENDANT'S RIGHT TO REQUEST AN EARLIER HEARING TO MODIFY THIS ORDER

When the Defendant has compelling reasons to request a hearing sooner than the date specified on this order, the Defendant may, by written motion and affidavit, request modification of the terms of the order relating to child custody and/or possession of the residence. On at least two days notice to Plaintiff, or on such shorter notice to the Plaintiff as the court deems necessary, the court may hold a hearing on the motion.

RELATIONSHIP OF THIS ORDER TO CRIMINAL DIVISION ORDERS

This order does not change or overrule any Condition of Release or Probation Condition ordered by the Criminal Division. An amendment to this order will not change your Conditions of Release or Probation Conditions.

**RETURN OF SERVICE
STATE OF VERMONT**

VOID FORM

SUPERIOR COURT

DIVISION

Unit

Docket No.

I personally served: (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Complaint, Affidavit and Temporary Order | <input type="checkbox"/> Order to Modify/Extend/Vacate Order |
| <input type="checkbox"/> Temporary Order | <input type="checkbox"/> Extended Final Order |
| <input type="checkbox"/> Final Order | <input type="checkbox"/> Extended Temporary Order |
| <input type="checkbox"/> Court Service Information Sheet | <input type="checkbox"/> Denial of Emergency Relief
Intent to Pursue
Notice of hearing |
| <input type="checkbox"/> Amended/Modified Temporary Order | |
| <input type="checkbox"/> Amended/Modified Final Order | |

Upon _____ by: _____

Date: _____ Time: _____ AM PM Place: _____

Date	Officer's Name, Title and Agency	Officer's Signature
		Acceptance of Service
I hereby accept service of this order.		
Fees	Date	Signature
Service Fee		
Miles X \$0. _____ per mile	(please type or print name)	
Total		